



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/180,943	11/18/98	NOZAKI	AD-6506

IM62/0616
E I DU PONT DE NEMOURS & COMPANY
LEGAL PATENTS
WILMINGTON DE 19898

EXAMINER	
RAJGURU, U	
ART UNIT	PAPER NUMBER
1711	3

DATE MAILED: 06/16/99

#3

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-3 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-3 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 1711

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required. *done 05/18/2000*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paschke et al (USP 5292805).

Paschke discloses filled polyphthalamide blends comprising polyphthalamide, a crystalline polypropylene, a carboxylated polypropylene and a reinforcing filler (col 3, lines 34-38). Melting point of such resin is about 290°C or higher (col 1, lines 37-39). Claims 1 and 2 in col 17 encompass a filled polyphthalamide comprising (a) 100 parts by wt of polyphthalamide, (b) 5-40 parts by wt of crystalline polypropylene and (c) 2-20 parts of by wt of carboxyl-modified polypropylene. This means that a typical blend contains $100+10+5=115$ parts by wt of

MR (a)+(b)+(c). A filler like talc is added at 50% of the total wt ^{i.e.} ~~50%~~ of 115 i.e. 53.5 parts by wt.

The ratio of filler to impact modifier is then $\frac{57.5}{10+5}=3.83$. This ratio of prior art therefore falls within the claimed range of the same ratio of prior art therefore falls within the claimed range of the same ratio of instant claim 1. Melt viscosity of the composition is disclosed in col 11, line 32.

It would therefore have been obvious to follow teachings of Paschke and arrive at instant invention. Paschke does not specifically disclose the melt viscosity in the same units as

Art Unit: 1711

encompassed by instant claim 2. However it is possible to convert the disclosed units of viscosity into the claimed units.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Paschke et al (USP 5292805) as applied to claim 1 above, and further in view of Desio et al (USP 5436294).

*not
claim 2 is
reconsidered*

Desio also discloses polyphthalamide blends; possessing the same superior properties as those of blends of Paschke. According to Desio, preferred polyphthalamides will have glass transition temp of above about 75°C (col 5, lines 37-41).

Therefore, it would have also been obvious to one of ordinary skill in the art to use, in the blends of Paschke, polyphthalamide with a glass transition temp of 75°C ie. at least 60°C as

WR claimed in instant claim 3. *to produce blend of superior properties*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to U.K. Rajguru whose telephone number is (703) 308-3224. The examiner can normally be reached on Monday-Friday from 9:30 am to 6:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck, can be reached on (703) 308-2462. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Application/Control Number: 09/180943

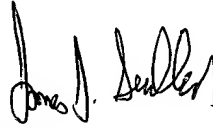
Page 4

Art Unit: 1711

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.


Rajguru/mm

June 14, 1999


James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700